

Resort location:

Snug Harbor Resorts, LLC
3356 Snug Harbor Drive
(On Ryer Island)
Walnut Grove, CA 95690

Phone: (916)775-1455
sunshine@snugharbor.net



Web site:
<http://www.snugharbor.net>

June 10, 2010

Delta Stewardship Council emailed to: interimplan@deltacouncil.ca.gov
Attention: John Ryan, Program Manager, Program Performance and Tracking
(916)445-0672

RE: Response to May comments and additional DRMS data review

Dear Delta Stewardship Council,

Thank you for allowing me to speak at the very end of the May meeting in Sacramento. As I stated in my first letter to you, and at the meeting, I am simply asking that decisions regarding the future of the Delta be based on verified facts, not fabricated estimates based on false underlying data. I also wish to emphasize that I am personally not opposed to the reasonable use by the state of surplus fresh water flowing out of the Delta, so long as that water use does not result in destroying current Delta land use of unwilling land owners, and does not further destroy the natural environment as it remains in the waterways now.

With this letter, I wish to address the following four issues, noting the first two are related to my previous letter and public comments:

1. Follow up to the issue regarding DRMS incorrect Delta island flood history. (Attachment 1)
2. Follow up to the request that DSC develop ONE consistent map for the legal Delta region, including correct island names and correct waterway names, so the DSC will be able to understand the locations reflected in the reports presented to DSC. (See Attachment 2)
3. Subsidence of Delta Islands: DRMS is incorrect regarding specific Delta island historical subsidence rates; a look at how the subsidence data was compiled to result in the misleading DRMS subsidence technical report. (Attachment 3 and DRMS Subsidence Technical Report 2007)
4. Delta water flow and use: Addressing the confusion caused by use of different measures to report volume and flow of water diversions from the Sacramento and San Joaquin rivers: CFS, GPM, MGD, CMS and why one consistent measure should be used for all reports to the DSC. (Attachment 4)

Continued next page

1. Issue summary: DRMS Phase 1 is wrong regarding Delta island flood history and estimates of future flood risk.

Follow up: A member of DSC asked me if I knew "who" made the mistakes in island inundation history. I want you to know I very much respect most scientists and understand their need and desire to base their studies and reports on accurate data, so I would not want to "blame" any one scientist who may have been handed faulty data and commissioned to do studies on that data alone. I cannot answer the "who" question. However, as to WHEN the confusion started, I suspect it may have been initiated around June 12, 2006, when Joel Dudas of DWR provided Historic Inundation data to Sarah Lewis of the URS Corporation.

DRMS Phase 1 Report is a keystone document often referred to by other scientists now, and each time the data regarding Delta island flood history is quoted, those scientists are wrong. Blame *should* be placed on any organization which continues to knowingly distribute false data, and that agency should be responsible for correcting and posting an updated DRMS *prior to* any determinations regarding Delta island future uses. "Best science" quickly becomes bad science when needed corrections are ignored. I believe the US Army Corps of Engineers 2006 Report to Congress on the Delta, noting a total of 31 island floods since the levees were improved is the most accurate number. You, the DSC, as the new governing authority on the Delta, have the option to request that DRMS be corrected prior to use or review of any subsequent reports based on DRMS.

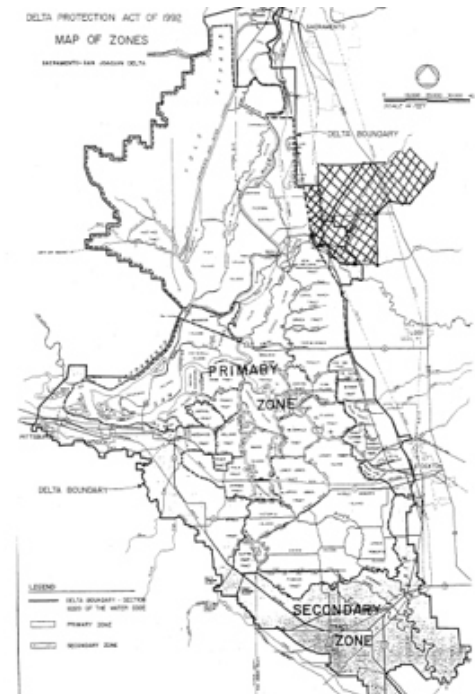
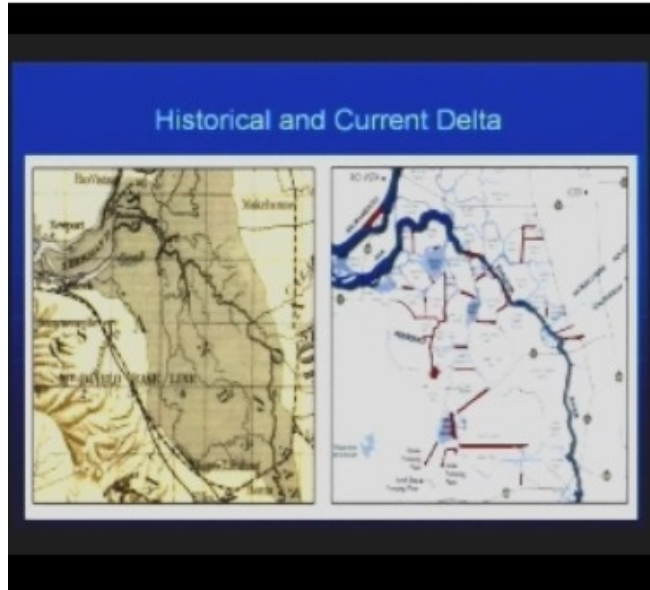
The reason Delta island inundation history is important at this time is because you, the members of the DSC, will be asked to determine the future value and use of some or all of the Delta islands, based on the data compiled for DRMS Phase 1. In addition, the flood records of Suisun area islands, which are not a part of the legal boundaries of the Delta, were added to the Delta data, thereby **greatly inflating the means and averages** calculated to inflate the overall appearance of flood risk to Delta islands in the future. All previous Delta island flood studies did not include islands outside the Delta region, so including non-delta islands in risk calculations has resulted in confusion and false data and reports. (See attachment for short summary of Delta flood history)

2. Issue: Consistent use of Delta maps. The reason why it is important to insist on clear and consistent use of a Delta map, including the names of the Delta waterways and Delta Islands, cities and roads, is so the DSC can easily identify the locations DSC will be asked to approve changes which will substantially alter not just those specific locations but the entire fresh water flow of the Delta region of today.

As a simple example, below are two maps, one of the legal Delta region according to the Delta Protection Commission and DWR, and the second is a "print screen" from the Delta Overview presentation for the DSC in April 2010. The novice may be confused as to which is the legal Delta.

CAL-SPAN.ORG

Bringing Government to you



Above from "Delta Overview" presentation to DSC compared to Delta Protection Commission "Legal Delta" boundary map

Besides the obvious difference in acreage, many DWR current maps give the impression these islands are barren and unpopulated, but the truth is most islands have roads, homes, families, businesses, individual histories and identities as a unique islands. The fact is, there are between 500,000 to 800,000 people who live within the legal Delta and when you count the cities surrounding the Delta, which will all be impacted by decisions of DSC, there will be at least four million people negatively affected by your decisions. I am requesting that DSC come up with a single map that includes island names, roads and waterways, as this information is necessary for informed and intelligent decisions. (I have mailed large Delta maps to the DSC which are copyrighted so can not be attached as pdf. I suggest you use this map for Delta land travel as current online map resources get the islands and roads and waterways confused at times)

3. Subsidence of Delta Islands: DWR/DRMS is incorrect regarding specific Delta island historical subsidence rates. (reference: Technical Memorandum: Delta Risk Management Strategy (DRMS) Phase 1, Topical Area: Subsidence Final) Please review Attachment 3 for maps and more details regarding the subsidence issue. Subsidence is one of the major factors used by some scientists to claim the Delta is not sustainable as it is configured today. Decisions on sustainability should be made island by island, based on facts, not estimates compiled from data reflecting means and averages of subsidence of islands both within and outside the legal Delta boundaries. Note that DWR has individual Delta island elevations from a 1906 survey, 1935 survey, surveys of the 1960's and 1980's and most recently 2007. Wouldn't it make more sense to calculate subsidence rates and sustainability based on historical facts?

4. Delta water flow and use: Addressing the confusion caused by use of different measures to report volume and flow of water diversions from the Sacramento and San Joaquin rivers: CFS, GPM, MGD, CMS and why one consistent measure should be used for all reports to the DSC. (see Attachment 4).

By this time, DSC members should be aware of the many different reports and studies regarding water flow in and out of the Delta. You might also have recognized that over time different measures for calculating flow have been used, so that a person who wants to understand the quantities of flow needs a calculator at hand to convert the flow numbers into the same unit of measure. The DSC *could* request or require that all future reports to DSC use one type of unit measure, such as gallons per day, which is understandable to most reviewers. Using MAF, CFS, GPM, and TAF, all very different water measures, just creates confusion, and possibly obscures the fact that more fresh water is planned to be diverted from the Sacramento River than actually flows in dryer water years.

I suggest the state use either "Acre Feet" or gallons, as this would avoid confusion when compared with historical reports. As it stands, current reports which provide CFS or cubic feet per second require conversion for appropriate comparison to historical data.

Respectfully submitted,

Nicky Suard

Nicole S. Suard, Esq., Managing Member, Snug Harbor Resorts, LLC

Attachments': 1,2,3,4. 2007 Elevation map DRMS Subsidence Report from 2007
Snail-mail: 12 Delta Navigation Maps produced by DeltaMaps.com